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May 14, 2001

Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-05050

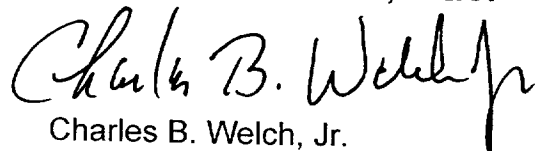
RE: Docket No. 97-00888 (Universal Service Proceeding)
Comments of Time Warner Telecom of the Mid-South, L.P.

Dear Mr. Waddell:

Enclosed please find the original and thirteen copies of the Comments of Time Warner Telecom of the Mid-South, L.P. as requested by the Pre-Hearing Officer at the Pre-Hearing Conference on April 3, 2001, on the issue of whether the Authority may request revenue information from and, ultimately, require contribution to the Universal Service Fund by CMRS providers. Copies are being served on all parties of record.

Very truly yours,

**FARRIS, MATHEWS, BRANAN,
BOBANGO & HELLEN, P.L.C.**


Charles B. Welch, Jr.

CBW:lw
Enclosures
cc: All parties of record

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

In RE: *Universal Service Generic Contested Case*
Docket No. 97-00888

COMMENTS OF TIME WARNER TELECOM OF THE MID-SOUTH, L.P.

At the Pre-Hearing Conference held on April 3, 2001, the Pre-Hearing Officer, invited all telecommunication carriers to submit comments on the issue of whether the Authority may request revenue information from and, ultimately, require contribution to the Universal Service Fund by Commercial Mobile Radio Service(CMRS) providers. Time Warner Telecom of the Mid-South, L.P. ("Time Warner") submits its comments accordingly.

Consistently, Time Warner has maintained the position that there has been no clear demonstration of need to establish a State Universal Service Fund. Without waiving its right to continue to maintain its position, Time Warner submits that CMRS providers are telecommunication service providers as that term has been defined pursuant to the Telecommunications Act of 1996 and orders of the FCC requesting Universal Service Fund contributions from all telecommunication service providers.

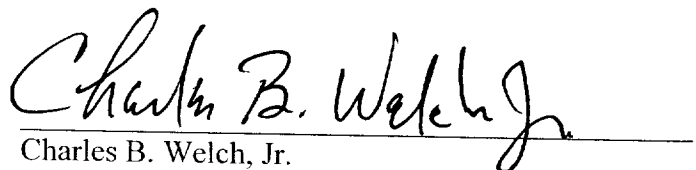
Further, Time Warner submits that the support for the Tennessee State Universal Service Program being considered in this docket should be spread as widely as possible within the telecommunications industry so as to avoid undue burden or discriminatory treatment to those customers purchasing services from wireline carriers, as customers will ultimately bear the costs of supporting the fund.

Finally, state law requires the Authority to "formulate policies, promulgate rules and issue

orders which require all telecommunication service providers to contribute to the support of the Universal Service.” T.C.A. §65-5-207(a). Telecommunication service provider includes “any individual or entity that offers or provides any two-way communications service, telephone service, telegraph service, paging service, or communication service similar to such services...unless otherwise exempted from this definition by state or federal law.” T.C.A. §65-4-102(e). In light of the provisions of Tennessee state law, the Telecommunications Act of 1996 and FCC orders, the Authority has a clear mandate to include CMRS providers in the group of telecommunication service providers required to support the intrastate Universal Service Fund.

Respectfully submitted,

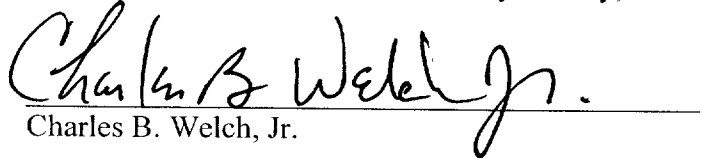
FARRIS, MATHEWS, BRANAN,
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A handwritten signature in cursive script, reading "Charles B. Welch, Jr.", written over a horizontal line.

Charles B. Welch, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on all parties of record as follows by placing same in U.S. Mail, postage prepaid, this the 14th day of May, 2001.


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